

**CLAIM LISTING:**

This listing of claims will replace all prior versions, and listings, of claims in the application. Where claims have been amended and/or canceled, such amendments and/or cancellations are done without prejudice and/or waiver and/or disclaimer to the claimed and/or disclosed subject matter, and the Assignee reserves the right to claim this subject matter and/or other disclosed subject matter in a continuing application.

**Claim 1. (Previously presented)** A method of creating a media file for playing in an electronic device, comprising:

receiving a first file portion of the media file with the electronic device from a first computing device via a first communication channel as a result of commands initiated from a media client of the electronic device, wherein the first file portion is unusable as a media file;

receiving a plurality of second file portions of the media file with the electronic device from a second computing device via a second communication channel as a result of commands initiated from the media client, wherein the plurality of second file portions are unusable as a media file and the media client initiates commands resulting in said receiving of the second file portion without reference to the content of the first file portion to identify the second computing device; and

creating with the media client the media file in the electronic device from the first file portion and at least one of the plurality of second file portions.

**Claim 2. (Previously presented)** The method of claim 1 wherein said receiving of a plurality of second file portions of the media file further comprises:

connecting a wireless transceiver on the electronic device to the second computing device via the second communication channel to enable the media client to receive the second file portion, wherein the second communication channel is a wireless communication channel; and

disconnecting the transceiver on the electronic device from the second communication channel to disconnect from the second computing device, once one of the plurality of second file portions has been received.

Claim 3. (Previously presented) The method of claim 1, further comprising:

storing the created media file in a memory in the electronic device;  
playing the media file on the electronic device using the media client; and  
using the media client to make the memory in which at least a portion of the media file is stored available for re-use once at least a portion of the media file has been played.

Claim 4. (Previously presented) The method of claim 1 wherein the first computing device is a client computer, the first communication channel is a connection coupling the electronic device with the client computer, and the method further comprising:

receiving the first file portion into the electronic device from the client computer via the first communication channel and the media client; and  
storing the first file portion on the electronic device.

Claim 5. (Previously presented) The method of claim 4 wherein the connection is provided by at least one of a docking station or a sync cradle associated with the client computer and the electronic device.

Claim 6. (Previously presented) The method of claim 1 wherein the first computing device is a media file repository, the first communication channel is a wireless connection coupling a transceiver on the electronic device with a transceiver associated with the media file repository, the method further comprising:

transmitting to the media file repository by the media client, a request for transfer of the first file portion; and  
the media client terminating the first communication channel once the first file portion has been received on the electronic device.

Claim 7. (Previously presented) The method of claim 1 wherein creating the media file by the media client comprises:

examining by the media client sequencing information in one of the plurality of second file portions that describes where elements of the one of the plurality of second file portions should be placed within the first file portion to create the media file.

**Claim 8.** (Previously presented) The method of claim 7, wherein the first file portion is encrypted, and the method further comprising:

the media client obtaining at least one key from one of the plurality of second file portions; and  
decrypting the first file portion using the key obtained from the one of the plurality of second file portions.

**Claim 9.** (Previously presented) A method for preparing a media data file for transmission to an electronic device, comprising:

creating a first file portion of the media file by removing elements from the media file; and  
creating a plurality of second file portions of the media file from the elements removed from the media file, wherein a location to retrieve the plurality of second file portions is not included as a part of the first file portion;

storing the first file portion in a first data repository accessible to a media client of the electronic device via a first communication channel; and

storing the plurality of second file portions in a second data repository accessible to the media client of the electronic device via a second communication channel for the media client to retrieve the plurality of second file portions independent of the content of the first file portion.

**Claim 10.** (Previously presented) The method of claim 9, further comprising:

placing sequencing information in the plurality of second file portions that provides information to the media client on where the elements removed from the media file should be placed in the first file portion to reproduce the media file.

**Claim 11. (Previously presented) The method of claim 10, further comprising:**

encrypting the first file portion using a key; and  
placing the key in the plurality of second file portions.

**Claim 12. (Previously presented) The method of claim 9, further comprising:**

transmitting the first file portion to a client computer configured to transmit the first file portion to the electronic device via the media client.

**Claim 13. (Cancelled)**

**Claim 14. (Previously presented) The method of claim 9 wherein the second data repository is included within the first data repository.**

**Claim 15. (Previously presented) An electronic device comprising:**

a media client configured to request a first file portion of a media file from a client computing device, and configured to assemble the media file using the first file portion and one or more of a plurality of second file portions of the media file obtained from another computing device, wherein the first and second file portions are unusable as media files, and the media client obtains the second file portion without reference to the content of the first file portion to identify the other computing device; and

a first transceiver configured to receive the one of the plurality of second file portions over a wireless communication channel and via the media client.

**Claim 16. (Previously presented) The electronic device of claim 15 wherein the media client is further configured to disconnect the transceiver from the wireless communication channel once the one of the plurality of second file portions has been received.**

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Claim 17. (Previously presented) The electronic device of claim 15 wherein the media client is further configured to play the media file and delete the media file from the electronic device once it has been played.

Claim 18. (Previously presented) The electronic device of claim 15 wherein the media client is further configured to examine sequencing information in the one of the plurality of second file portions that describes where elements of the one of the plurality of second file portions should be placed within the first file portion to assemble the media file.

Claim 19. (Previously presented) The electronic device of claim 15 wherein the media client is further configured to decrypt the first file portion using a key obtained from the one of the plurality of the second file portions.

Claim 20. (Previously presented) The electronic device of claim 15 wherein media client is further configured to receive the first file portion from the client computer and store the first file portion in a memory on the electronic device.

Claim 21. (Previously presented) The electronic device of claim 15 wherein the media client is further configured to request the first file portion from a data repository over a wireless communication channel, the device further comprising:

a second transceiver configured to receive the first file portion over the wireless communication channel.

Claim 22. (Previously presented) The electronic device of claim 21 wherein the media client is further configured to terminate the transceiver's connection to the wireless communication channel following reception of the first file portion.

Claim 23. (Previously presented) The electronic device of claim 15, further comprising a memory for storing the first file portion.

Claim 24. (Previously presented) The electronic device of claim 23 wherein the memory is configured to be removable from the electronic device.

Claim 25. (Previously presented) The electronic device of claim 23 wherein the memory is further configured to store the one of the plurality of second file portions.

Claim 26. (Previously presented) A media playback device, comprising:

a first reception means for receiving a first file portion of a media file over a first communications channel, wherein the first file portion is unusable as a media file;

a second reception means for receiving a plurality of second file portions of the media file over a second communications channel, wherein the plurality of second file portions is unusable as a media file, and the second reception means initiates said receiving of the second file portion independent of content of the first file portion; and

a media assembly means for assembling the media file from the first file portion and the plurality of second file portions.

Claim 27. (Original) The media playback device of claim 26 wherein the second communications channel is a wireless communications channel, the device further comprising:

a power saving means configured to disconnect the second reception means from the second communications channel once the second file portion has been received.

Claim 28. (Original) The media playback device of claim 26, further comprising:

a playback means for playing the media file.

Claim 29. (Original) The media playback device of claim 28 wherein the playback means is further configured to delete the media file as it is played.

Claim 30. (Previously presented) The media playback device of claim 26 wherein the media assembly means is configured to assemble the media file using sequencing instructions in the plurality of second file portions.

Claim 31. (Previously presented) The media playback device of claim 30 wherein the sequencing instructions describe where to find information in the plurality of second file portions that should be placed in the first file portion to assemble the media file, the media playback device further configured to locate the information and place the information in the first file portion.

Claim 32. (Previously presented) A media server for transmitting a media file to an electronic device, comprising:

means for creating a first file portion of the media file by removing elements from the media file, wherein the first file portion is unusable as a media file; and

means for creating a plurality of second file portions of the media file from the elements removed from the media file, wherein the plurality of second file portions is unusable as a media file and a location for obtaining the plurality of second file portions is not included as part of the first file portion;

means for storing the first file portion in a first data repository accessible to a media playback means of the electronic device via a first communication channel; and

means for storing the plurality of second file portions in a second data repository accessible to the media playback means of the electronic device via a second communication channel, for the media playback means to retrieve the second file portion independent of the content of the first file portion.

Claim 33. (Previously presented) The media server of claim 32, further comprising:

means for placing sequencing information in the plurality of second file portions that provides information on where the elements removed from the media file should be placed in the first file portion to reproduce the media file.

Claim 34. (Previously presented) The media server of claim 33, further comprising:

means for encrypting the first file portion using a key; and

means for placing the key in the plurality of second file portions.

Claim 35. (Previously presented) The media server of claim 32, further comprising:

means for transmitting the first file portion to a client computer configured to transmit the first file portion to the electronic device.

Claim 36. (Previously presented) The media server of claim 32, further comprising:

a transceiver configured to transmit the plurality of second file portions to the electronic device.

Claim 37. (Cancelled)

Claim 38. (Original) The media server of claim 37 wherein the second data repository is included within the first data repository.

Claim 39. (Previously presented) A media client for processing a media file on an electronic device, comprising:

a first file manager configured to request a first file portion of the media file over a first communications channel, wherein the first file portion is unusable as a media file;

a second file manager configured to request a plurality of second file portions of the media file over a second communications channel, wherein the plurality of second file portions is unusable as a media file, and the second file manager requests the second file portion independent of the content of the first file portion; and

a media file reconstructor configured to reconstruct a media file from the first file portion and the plurality of second file portions.

Claim 40. (Original) The media client of claim 39, further comprising:

a media file player configured to perform the media file reconstructed by the media file reconstructor.

Claim 41. (Original) The media client of claim 40 wherein the media file reconstructor is further configured to reconstruct the media file in media file sections and provide each reconstructed media file section to the media file player and wherein the media file player is further configured to delete media file sections once they are played.

Claim 42. (Previously presented) The media client of claim 39, further comprising:

a transceiver controller configured to instruct a transceiver to disconnect from the second communications channel upon receipt of one of the plurality of second file portions.

Claim 43. (Previously presented) The media client of claim 39 wherein the media file reconstructor is further configured to examine the plurality of second file portions to locate sequencing data and wherein the media file reconstructor is further configured to use the sequencing data to locate data in from the plurality of second file portions and add the data to the first file portion to reconstruct the media file.

Claim 44. (Previously presented) The media client of claim 39 wherein the media file reconstructor is further configured to examine the plurality of second file portions to locate a key and wherein the media file reconstructor is further configured to use the key to decrypt the first file portion to obtain the media file.

Claim 45. (Previously presented) The media client of claim 39 wherein the first communications channel is a connection between the electronic device and a client computer and wherein the first file manager is further configured to send a request over the first communications channel requesting transmission of the first file portion.

Claim 46. (Previously presented) The media client of claim 39 wherein the first communications channel is a wireless connection between the electronic device and a media server and wherein the first file manager is further configured to send a request over the first communications channel requesting transmission of the first file portion.

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Claim 47. (Previously presented) The media client of claim 39 wherein the first communications channel is a wireless connection between the electronic device and another portable electronic device and wherein the first file manager is further configured to send a request over the first communications channel requesting transmission of the first file portion.

Claim 48. (Previously presented) The media client of claim 39 wherein first file manager is further configured to store the first file portion in a memory on the portable electronic device.

Claim 49. (Previously presented) The media client of claim 39 wherein the first file manager is further configured to examine a memory on the portable electronic device for at least one first file portion upon receipt of a request for at least one media file.

Claim 50. (Previously presented) The media client of claim 39 wherein the second communications channel is a wireless connection between the portable electronic device and a media server and wherein the second file manager is further configured to send a request over the second communications channel requesting transmission of the plurality of second file portions.

Claim 51. (Previously presented) A computer program product for use in connection with a server to provide a electronic device with a media file for execution by a media client associated with the electronic device, the server including a memory configured to store the computer program product, the computer program product comprising:

first instructions adapted to create a first file portion of the media file by removing a plurality of data elements from the media file, rendering the first file portion unusable as a media file; and

second instructions to create a plurality of second file portions of the media file containing the plurality of data elements removed from the media file, and sequencing information that explains where the plurality of data elements removed should be placed in the first file portion to reproduce the media file, and the first file portion does not include a location where the second file portion can be retrieved;

third instructions to store the first file portion in a first data repository accessible to a media client of the electronic device via a first communication channel; and

fourth instructions to store the plurality of second file portions in a second data repository accessible to the media client via a second communication channel for the media client retrieve the second file portion independent of the content of the first file portion.

Claim 52. (Previously presented) The computer program product of claim 51 wherein the computer program product further comprising instructions to encrypt the first file portion and placement of a decryption key for decrypting the first file portion in the plurality of second file portions.

Claim 53. (Previously presented) A computer-readable medium containing instructions for controlling an electronic device to play a media file when executing the instructions, the computer-readable medium instructions comprising:

first instructions to receive a first file portion of the media file in the electronic device from a first computing device via a first communication channel, wherein the first file portion is unusable as a media file;

second instructions to receive a plurality of second file portions of the media file in the electronic device from a second computing device via a second communication channel, wherein the plurality of second file portions is unusable as a media file, and the second instructions retrieve the second file portion without reference to the content of the first file portion to identify the second computing device; and

third instructions to create the media file in the electronic device from the first file portion and the plurality of second file portions.

Claim 54. (Previously presented) The computer-readable medium of claim 53 wherein the second instructions comprise:

instructions to connect a wireless transceiver on the electronic device to the second communication channel to receive one of the plurality of second file portions, wherein the second communication channel is a wireless communication channel; and

instructions to disconnect the transceiver on the electronic device from the second communication channel once the one of the plurality of second file portions has been received.

Claim 55. (Previously presented) The computer-readable medium of claim 53, the computer-readable medium instructions further comprising:

fourth instructions to play the media file on the electronic device; and  
fifth instructions to delete the media file once it has been played.

Claim 56. (Previously presented) The computer-readable medium of claim 53 wherein the first instructions are adapted to

receive the first file portion in the electronic device from a client computer, the client computer being the first computing device; and  
store the first file portion on the electronic device.

Claim 57. (Previously presented) The computer-readable medium of claim 56 wherein the connection is provided by at least one of a docking station or a sync cradle associated with the client computer and the electronic device.

Claim 58. (Previously presented) The computer-readable medium of claim 53 wherein the first instructions are adapted to

transmit to a media file repository a request for transfer of the first file portion; and  
terminate the first communication channel once the first file portion has been received on the electronic device.

Claim 59. (Previously presented) The computer-readable medium of claim 53 wherein third instructions are adapted to

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examine sequencing information in the one of the plurality of second file portions that describes where elements of the one of the plurality of second file portions should be placed within the first file portion to create the media file.

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Claim 60. (Previously presented) The computer-readable medium of claim 59, the computer-readable medium instructions further comprising:

fourth instructions to obtain a key from the one of the plurality of second file portions, and decrypt a portion of the first file portion using the obtained key.

#### REMARKS

The above-referenced patent application has been reviewed in light of the Office action, dated January 5, 2007. Claims 1-12, 14-36, and 38-60 are currently pending. Claims 1-12, 14-36, and 38-60 stand rejected under 35 USC § 103 over US Patent 6,185,306, of Manges et al., (hereinafter Manges) in view of US Patent 6,373,831 of Secord et al. (hereinafter Secord). No claims are currently amended. Assignee respectfully asserts that no new matter has been presented. Reconsideration of the above-referenced patent application in view of the following remarks is respectfully requested.

With regard to the Examiner's rejection under 35 USC § 103, it is respectfully asserted that this rejection has been traversed. As an initial matter, Assignee would like to note that claim 1 no longer includes the language portable device, which had been removed in response to an earlier Office Action. With regard to the merits of the Examiner's rejection, Assignee respectfully asserts that neither of the cited documents, alone or in combination, teach "receiving a plurality of second file portions of the media file with the electronic device from a second computing device via a second communication channel as a result of commands initiated from the media client, wherein the plurality of second file portions are unusable as a media file; and creating with the media client the media file in the electronic device from the first file portion and at least one of the plurality of second file portions" as recited in Assignee's claim 1. Furthermore, neither of the references, alone or in combination, teach "wherein the plurality of second file portions are unusable as a media file and the media client initiates commands